

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: _____

Case Name: Estate of _____

Case Number: _____
(if known)

**MOTION AND LICENSE TO SELL REAL ESTATE
TO PAY DEMANDS**

1. Fiduciary Name _____ Telephone _____

Mailing Address _____

Fiduciary Name _____ Telephone _____

Mailing Address _____

2. Attorney Name _____ Telephone _____

Mailing Address _____

3. The personal estate of the deceased is not sufficient to pay the debts and legacies of the estate. The deceased at the time of death owned certain real estate identified below. (Attach copy of legal description.)

PROPERTY LOCATION	COUNTY	BOOK/PAGE
_____	_____	_____/____
_____	_____	_____/____
_____	_____	_____/____

4. STATEMENT OF DEBTS AND ASSETS

DEBTS

A. Debts/legacies against the estate, per schedule attached \$ _____

B. Funeral expenses \$ _____

C. Allowance to widow \$ _____

D. Estimated expenses of administration \$ _____

TOTAL ESTATE DEBTS	\$ _____
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ASSETS

A. Personal property per inventory \$ _____

B. Income earned from all sources \$ _____

C. Personal property not appraised \$ _____

TOTAL ESTATE ASSETS	\$ _____
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TOTAL DEFICIT	\$ _____
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MOTION AND LICENSE TO SELL REAL ESTATE TO PAY DEMANDS

5. I, _____,
do solemnly swear that in disposing of the estate of the deceased as I may be licensed to sell, I will use my best judgment if the property is sold at public auction in fixing and advertising the time and place of sale, and will exert my utmost endeavor that the same shall be sold in such manner as will be of the greatest advantage to the persons interested in the estate, without any sinister or selfish view or motive whatever. So help me God.

I request that I be licensed to sell at public auction, or private sale, the whole of the real estate in accordance with New Hampshire law.

Date

Fiduciary Signature

Date

Fiduciary Signature

State of _____, County of _____

This instrument was acknowledged before me on _____ by _____

My Commission Expires _____

Affix Seal, if any

Signature of Notarial Officer / Title

ASSENTS

I, _____, the surviving spouse of the deceased, hereby assent to the sale of the whole of the real estate herein described, including the homestead right, and any other interest therein, and the reversion(s) thereof.

Date

Surviving Spouse Signature

IF THERE IS NO SURVIVING SPOUSE OF THE DECEASED BUT THERE ARE MINOR CHILDREN.

I, _____, guardian of the minor child(ren) of the deceased, hereby consent to the sale of the whole of the real estate herein described.

Date

Guardian of Minor Signature

ORDER AND LICENSE

☐ The motion is granted and the fiduciary is licensed upon the terms and conditions specified above. This license is only valid for two years from the date of this order. A return of sale must be returned to the court within one year of the sale. The fiduciary shall notify the court of the net proceeds of the sale within thirty (30) days following receipt of such proceeds.

☐ Motion is denied and no license is issued.

Date

Judge